

REMARKS

In the above-mentioned, final Office Action, all of the pending claims, claims 1-3 and 7-9, were rejected. Claims 1-3 and 7 were rejected under Section 103 (a) over the combination of a 3GPP document (reference A) and view of Tohono. And, claims 8-10 were rejected under Section 103 (a) over the combination of the 3GPP document, Tohono, and Laitinen. Additionally, claims 1-3, 7, and 8-10 were rejected under Section 112, first paragraph, for the recitation of “refraining from using the predefined order”.

Responsive to the rejections of the claims, the independent claims, claims 1, 7, and 8, have been amended in manners, as set forth herein, believed better to distinguish the invention of the present application over the cited combinations of references.

With respect to exemplary claim 1, the claim has been amended, now to state that at least one of the SIBs received during the receiving the SIB includes an SIB IE in which the IE is related to a cell information list and has associated system information. And, the claim has further been amended to state that a response is made to a determination that the same IE type is included in only one of the SIBs in which an IE from the associated one of the SIBs is applied. Independent claims 7 and 8 have been analogously amended.

Support for the amended recitations is found in the disclosure, e.g., in paragraph [0027], which states that a check is carried out to see if the same IE relating to a cell information list is included in both of the SIBs and, if not, then the IE is applied from the associated SIB. Support is also found in paragraph [0028], which states that for each cell information list information element, if a cell information list information element is only included in one SIB, then the IE is applied.

The Applicants assert that, particularly as now-presented, the claims recite subject matter that is neither disclosed nor suggested in either the 3GPP document nor Tohono nor Laitinen. Specifically, the Applicants traverse the Examiner's reliance on Tohono for disclosing the responding to the determination that the same IE type is included in only one of the SIBs by applying an IE from the associated one of the SIBs, as recited now in the amended claims. The Applicants further assert that Tohono fails to disclose the providing of the recited, predefined order and of determining if a same IE type is included in each of the SIBs 11 and 12.

Even assuming that Tohono's system information associated with an active cell can read on the recited SIB 11 and that system information associated with a handover destination candidate cell reads upon the recited SIB 12, the Applicants assert that Tohono fails to disclose responding to a determination that the same IE type is included in only one of the SIBs by applying an IE from the associated one of the SIBs. In other words, even if the Examiner's position that the cell information lists corresponding to an active cell and a handover-destination candidate cell are equivalent to the SIBs 11 and 12 are correct, there still is no disclosure of the recited manners of responding set forth in the amended claims.

The Examiner acknowledges that the 3GPP document fails to disclose such responses and because Tohono fails to disclose these responses, the Applicants assert that Tohono cannot be combined with the 3GPP document to form the recited invention, as now-presented.

For these reasons, therefore, the Applicants assert that the independent claims, as now-presented, are patentably distinguishable over the cited combinations of references. As the remaining, dependent claims include all the recitations of their respected parent claims, the

Applicants assert that these claims also are patentably distinguishable over the cited combinations for the same reasons.

The recitations of the independent claims that provided the grounds for rejection under Section 112, first paragraph, have been cancelled. Accordingly, the Applicants also assert that the claims, as now-presented, conform with the requirements of Section 112, first paragraph.

Accordingly, in light of the foregoing, independent claims 1, 7, and 8, and the remaining dependent claims dependent thereon, are believed to be in condition for allowance.

Reexamination and reconsideration for allowance of the claims is, therefore, respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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